

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 2-4, 6-14, and 22-30 are pending in this application. Claims 5 and 21 are herein canceled without prejudice. Claims 2-14 and 21-30 were objected to for informalities. Claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as unpatentable over applicants admitted art in view of U.S. patent 6,070,226 to Freeman et al. (herein "Freeman") and U.S. patent 6,098,153 to Fuld et al. (herein "Fuld") and one of U.S. patent 6,463,508 to Wolfe et al. (herein "Wolfe") and U.S. patent 6,144,400 to Ebisawa.

Applicants note the present response is submitted to place the present application in condition for allowance by addressing the objections to the claims and amending each of claims 2 and 4 to recite subject matter from respective dependent claims 21 and 5, which were not rejected over any prior art.

In further detail, claims 2 and 3 were objected as the reference to "each segment" at line 8 of each of claims 2 and 3 was unclear. In reply to that objection each of claims 2 and 3 is now amended to recite --each segment stored in the library storage device--. Applicants submit that amendment addresses the objections to claims 2-14 and 21-30 noted in paragraph 1, page 2, of the Office Action.

In the Office Action at page 2, it was also noted with respect to claims 2 and 3 that the "random access point segment" was interpreted as a label without setting forth what the "random access point segment" terminology actually refers.

In reply to that position applicants submit claims 2 and 3 are clear in that respect. For example, claim 2 recites storing a "random access point segment information from which a possibility for each segment stored in the library storage device to contain a point that can potentially be random accessed in future can be estimated". Applicants also draw attention to the specification at page 14, lines 21-24 that recites:

Also, a RAP [Random Access Point] segment information is obtained by accumulating information regarding random accesses from the past request, in order to estimate a possibility of being random accessed in future for each segment.

Applicants respectfully submit each of claims 2 and 3 is clear that a “random access point segment information” is information from which “a possibility for each segment stored in the library storage device to contain a point that can be potentially random accessed in the future” can be estimated.

In view of the foregoing comments, applicants respectfully submit the term “random access point segment” in each of claims 2 and 3 is clear.

Independent claim 2 is herein amended to incorporate the limitations from previously pending dependent claim 21, and independent claim 3 is similarly amended to incorporate the limitations from previously pending dependent claim 5. Claims 5 and 21 are accordingly canceled without prejudice. The other dependent claims are also amended to be consistent with such amendments to independent claims 2 and 3.

As neither of dependent claims 5 and 21 were previously rejected over any prior art, applicants respectfully submit in view of such amendments each of independent claims 2 and 3 now recite subject matter neither taught nor suggested by the applied art. Thereby, amended independent claims 2 and 3, and accordingly the claims dependent therefrom, are believed to recite allowable subject matter.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

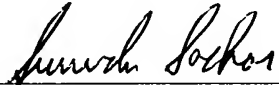
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

EHK/SNS

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Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870
Surinder Sachar
Registration No. 34,423